

REMARKS

Claims 1, 6 and 7 remain pending in the present application. The claims have not been amended in response to the Office Action.

REJECTION UNDER 35 U.S.C. § 103

Claims 1 and 6-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bourcier (U.S. Pat. No. 2,719,611) in view of Postema, et al. (U.S. Pat. No. 4,139,186). Applicants respectfully traverse this rejection by the Examiner. Bourcier discloses, as stated by the Examiner, a damper including a closed pressure tube 1 having an inner cylindrical surface which forms a sealed working chamber, a piston 3 disposed within the working chamber..., a valve body 7 disposed within the working chamber to define a fluid chamber T located in a second portion of the working chamber....

Applicants believe the Examiner's characterization of Bourcier is incorrect. Claim 1 defines the inner cylindrical surface of the pressure tube as forming a sealed working chamber and the fluid working chamber is located in a second portion of the working chamber. Fluid chamber T is not located in the working chamber defined by the inner cylindrical surface of pressure tube 1. Fluid chamber T is located outside of the working chamber defined by the pressure tube. Valve body 7 is located at an end of the pressure tube and the working chamber defined by its inner cylindrical surface does not extend past the valve body to form the second portion of the working chamber.

In addition, Claim 1 defines the fluid chamber as being defined by the valve body with the inner cylindrical surface of the pressure tube. Fluid chamber T in Bourcier is

defined by valve body 7 and expandable sheet member E, not the inner cylindrical surface of the pressure tube. Postema, et al. does not disclose subject matter which overcomes the lack of disclosure in Bourcier.

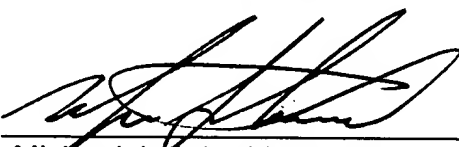
Thus, Applicants believe Claim 1, patentably distinguishes over the art of record. Likewise, Claims 6 and 7, which ultimately depend from Claim 1, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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